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Serial No. 09/843,137
RESPONSE AFTER FINAL OFFICE ACTION
EXPEDITED PROCEDURE
EXAMINING GROUP 2645
Docket No.: 782.1101

AF/2645\$
2645
#12
5/1/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Nozomu HASEGAWA

Serial No. 09/843,137

Group Art Unit: 2645

APR 22 2004

Confirmation No. 7290

Technology Center 2600

Filed: April 27, 2001

Examiner: MING CHOW

For: MESSAGING PROTOCOL OVER INTERNET PROTOCOL

AMENDMENT UNDER 37 CFR 1.116

Do Not Enter.
5-11-04

Mail Stop: AF

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

This is in response to the final Office Action mailed December 19, 2003, and having a period for response set to expire on March 19, 2004. A Petition for a 1-month extension of time, together with the requisite fee for same, is submitted herewith, thereby extending the period for response to April 19, 2004.

The following amendments and remarks are respectfully submitted. Entry of this Amendment and reconsideration of the claims is respectfully requested because the amendments and remarks clarify the patentably distinguishing features of the present invention over the relied upon references. Further, because the final Office Action, in page 3, item 2, does not provide a clear rationale for the anticipatory rejection of claims 12-13 and 16-17, the Applicant respectfully requests reconsideration of the finality of the Office Action and withdrawal of the finality so that the Examiner can provide a clear rationale rejecting these claims.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

04/21/2004 HAHMED1 00000056 09843137

01 FC:1202 54.00 DP

04/21/2004 HAHMED1 00000056 09843137

02 FC:1251 110.00 DP



S&H Form: (10/03)

| | | | |
|--|----------------------|-----------------|-----------|
| REPLY/AMENDMENT FEE TRANSMITTAL | Attorney Docket No. | 782.1101 | |
| | Application Number | 09/843,137 | |
| | Filing Date | April 27, 2001 | |
| | First Named Inventor | Nozomu HASEGAWA | |
| | Group Art Unit | 2645 | |
| AMOUNT ENCLOSED | 164.00 | Examiner Name | MING CHOW |

FEE CALCULATION (fees effective 10/01/03)

| CLAIMS AS AMENDED | Claims Remaining After Amendment | Highest Number Previously Paid For | Number Extra | Rate | Calculations |
|---|----------------------------------|------------------------------------|--------------|--------------|------------------|
| TOTAL CLAIMS | 22 | - 19 = | 3 | X \$ 18.00 = | \$ 54.00 |
| INDEPENDENT CLAIMS | 9 | - 9 = | 0 | X \$ 86.00 = | 0.00 |
| Since an Official Action set an <u>original</u> due date of <u>March 19, 2004</u> , petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110)). | | | | | 110.00 |
| If Notice of Appeal is enclosed, add (\$330.00) | | | | | |
| If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110.00) | | | | | |
| Information Disclosure Statement (Rule 1.17(p)) (\$180.00) | | | | | |
| Total of above Calculations = | | | | | \$ 164.00 |
| Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28) | | | | | |
| TOTAL FEES DUE = | | | | | \$ 164.00 |

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

RECEIVED**METHOD OF PAYMENT**

APR 22 2004

- ☒ Check enclosed as payment.
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below. **Technology Center 2600**
- ☐ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

GENERAL AUTHORIZATION

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:
- | | |
|----------------------|--------------------|
| Deposit Account No. | 19-3935 |
| Deposit Account Name | STAAS & HALSEY LLP |
- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

| | | | |
|------------|----------------|----------|----------------|
| Typed Name | Mehdi Sheikerz | Reg. No. | 41,307 |
| Signature | | Date | April 19, 2004 |

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